

STATE OF NEW YORK

8346

IN SENATE

January 19, 2024

Introduced by Sen. GRIFFO -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing an amendment to article 4 of the constitution, in relation to the filling of vacancies in the office of lieutenant-governor or governor

1 Section 1. Resolved (if the Assembly concur), That section 6 of article 4 of the constitution be amended by adding new fourth, seventh, eighth, and ninth undesignated paragraphs to read as follows:

2 In case of vacancy in the office of lieutenant-governor alone, due to
3 death, resignation, removal from office, or ascension to governor, the
4 office of lieutenant-governor shall be filled for the remainder of the
5 term by appointment of the governor within forty-five days of such
6 vacancy, death, resignation, removal from office, or ascension, subject
7 to confirmation by a majority vote in the senate and a majority vote in
8 the assembly to be held within forty-five days of such appointment. In
9 the event that the lieutenant-governor appointee nominated by the gover-
10 nor is not approved by a majority vote in the senate or the assembly,
11 then the governor shall make a new nomination for the office of lieuten-
12 ant-governor within thirty days of such vote and shall be subject to
13 confirmation by a majority vote in the senate and a majority vote in the
14 assembly to be held within thirty days of such appointment.

15 If, when the duty of acting as governor devolves upon the speaker of
16 the assembly, there be a vacancy in such office or the speaker of the
17 assembly shall be absent from the state or otherwise unable to discharge
18 the duties of governor, the comptroller shall act as governor during
19 such vacancy or inability.

20 If, when the duty of acting as governor devolves upon the comptroller,
21 there be a vacancy in such office or the comptroller shall be absent
22 from the state or otherwise unable to discharge the duties of governor,
23 the attorney general shall act as governor during such vacancy or
24 inability.

25 If, when the duty of acting as governor devolves upon the attorney
26 general, there be a vacancy in such office or the attorney general shall
27 be absent from the state or otherwise unable to discharge the duties of
28 governor, the comptroller shall act as governor during such vacancy or
29 inability.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [-] is old law to be omitted.

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1 governor, the secretary of state shall act as governor during such
2 vacancy or inability.

3 § 2. Resolved (if the Assembly concur), That the foregoing amendment
4 be referred to the first regular legislative session convening after the
5 next succeeding general election of members of the assembly, and, in
6 conformity with section 1 of article 19 of the constitution, be
7 published for 3 months previous to the time of such election.